

1 ARIEL STERN, ESQ.
Nevada Bar No. 8276
2 NATALIE L. WINSLOW, ESQ.
Nevada Bar No. 12125
3 PAIGE L. MAGASTER, ESQ.
Nevada Bar No. 15557
4 AKERMAN LLP
1635 Village Center Circle, Suite 200
5 Las Vegas, Nevada 89134
Telephone: (702) 634-5000
6 Facsimile: (702) 380-8572
Email: ariel.stern@akerman.com
7 Email: natalie.winslow@akerman.com
Email: paige.magaster@akerman.com
8

9 *Attorneys for NewRez LLC f/k/a New Penn
Financial d/b/a Shellpoint Mortgage Servicing*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 TEAL PETALS ST TRUST,

Case No.: 2:22-cv-00395-JAD-DJA

13 Plaintiff,

14 vs.

15 NEWREZ LLC f/k/a NEW PENN FINANCIAL
d/b/a SHELLPOINT MORTGAGE
16 SERVICING; a foreign limited liability
company; and DOE individuals I through XX;
17 and ROE CORPORATIONS I through XX,
18

Defendants.

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO AMEND
PLEADINGS OR ADD PARTIES**

(THIRD REQUEST)

20 NEWREZ LLC f/k/a NEW PENN FINANCIAL
d/b/a SHELLPOINT MORTGAGE
21 SERVICING,

Counter-claimant,

22 vs.

24 TEAL PETALS ST TRUST; DOES I through X,
inclusive; and ROE CORPORATIONS I through
25 X, inclusive,

Counter-defendants.

AKERMAN LLP

1635 VILLAGE CENTER CIRCLE, SUITE 200
LAS VEGAS, NEVADA 89134
TEL.: (702) 634-5000 - FAX: (702) 380-8572

1 Teal Petals St Trust (**the Trust**) and NewRez LLC f/k/a New Penn Financial d/b/a Shellpoint
 2 Mortgage Servicing (**Shellpoint**) stipulate to extend the deadline to amend pleadings or add parties for
 3 three (3) week from June 16, 2023, to **July 7, 2023**.

4 The parties previously agreed to stay discovery deadlines pending the outcome of a chapter 11
 5 bankruptcy initiated in the U.S. Bankruptcy Court, District of Nevada, *In re 9863 Dublin Valley, LLC*,
 6 Case No. 22-12180-mkn. [ECF No. 18.] The court approved the parties' stipulation and ordered
 7 discovery stayed. [ECF No. 19.] The automatic stay in the chapter 11 bankruptcy was subsequently
 8 annulled and the bankruptcy matter is now closed. [See ECF No. 22.] The court extended discovery
 9 deadlines upon lifting the discovery stay in this case. [ECF No. 23.] The parties subsequently
 10 stipulated to, and the court approved, an extension of the deadline to amend pleadings or add parties
 11 by two weeks. [ECF No. 24.]

12 Shellpoint recently received a letter dated May 9, 2023, wherein the Trust seeks loan
 13 information from Shellpoint as the property's "current titled owner." Testimony and filings in the
 14 bankruptcy matter indicate 9863 Dublin Valley, LLC acquired title to the property in July 2022.
 15 On May 17, 2023, Saticoy Bay LLC Series 9863 Dublin Valley St made the winning bid at the deed of
 16 trust foreclosure sale. Shellpoint, through its counsel, responded to the Trust's letter on June 12, 2023.

17 Good cause exists pursuant to LR 26-3 to extend the deadline to amend pleadings or add
 18 parties given the recent developments since the parties previously requested a two-week extension on
 19 June 2, 2023, after which time Shellpoint's counsel learned of the Trust's letter. The parties request an
 20 additional time to stipulate to amendment of Shellpoint's answer and counterclaims [ECF No. 8] or for
 21 Shellpoint to file the appropriate motion.

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AKERMAN LLP

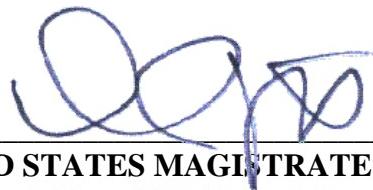
1635 VILLAGE CENTER CIRCLE, SUITE 200
LAS VEGAS, NEVADA 89134
TEL.: (702) 634-5000 – FAX: (702) 380-8572

1 Shellpoint's counsel is set to appear in trial in *Carrington Mortgage Services, LLC v. Silverado*
 2 *Place Homeowners' Association et al.*, Case No. 2:17-cv-01311-RFB-BNW commencing June 28,
 3 2023. Additionally, filings in this matter on Shellpoint's behalf are subject to multiple levels of
 4 review. The parties therefore request an extension of three weeks. Excusable neglect exists for the
 5 reasons set forth in the prior stipulation [ECF No. 24] and above.

6 DATED this 16th day of June, 2023.

AKERMAN LLP <hr/> <u>/s/ Paige L. Magaster</u> ARIEL STERN, ESQ. Nevada Bar No. 8276 NATALIE L. WINSLOW, ESQ. Nevada Bar No. 12125 PAIGE L. MAGASTER, ESQ. Nevada Bar No. 15557 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134 <i>Attorneys for NewRez LLC f/k/a New Penn Financial d/b/a Shellpoint Mortgage Servicing</i>	Law Offices of Roger P. Croteau <hr/> <u>/s/ Christopher L. Benner</u> ROGER P. CROTEAU, ESQ. Nevada Bar No. 4958 CHRISTOPHER L. BENNER, ESQ. Nevada Bar No. 8963 2810 W. Charleston Boulevard, Suite 75 Las Vegas, NV 89102 <i>Attorney for Teal Petals St Trust</i>
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17 **IT IS SO ORDERED.**



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 19 **UNITED STATES MAGISTRATE JUDGE**

20 Case No.: 2:22-cv-00395-JAD-DJA

21 DATED: June 21, 2023